



## Legislation Details (With Text)

**File #:** 2012-0113      **Version:** 1  
**Type:** Will of Council      **Status:** Adopted  
**File created:** 2/14/2012      **In control:** City Council  
**On agenda:**      **Final action:** 2/14/2012  
**Enactment date:** 2/14/2012      **Enactment #:** 19  
**Effective date:**

**Title:** NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby oppose House Bill 1523

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh, does hereby call upon the Allegheny County delegation of the Pennsylvania House of Representatives and Pennsylvania Senate, as well as Governor Corbett to join us in opposition to this unprecedented, politically motivated bill; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh urges that General Assembly and Governor Corbett to reconsider adopting a statewide lost or stolen handgun reporting requirement, establishing a uniform system of accountability for missing firearms across the Commonwealth of Pennsylvania.

**Sponsors:** Bruce A. Kraus, Theresa Kail-Smith, Natalia Rudiak, William Peduto, Corey O'Connor, R. Daniel Lavelle, Darlene M. Harris, Patrick Dowd, Reverend Ricky V. Burgess

**Indexes:** PROCLAMATION - MR. KRAUS

**Code sections:**

**Attachments:** 1. 2012-0113.doc

Date	Ver.	Action By	Action	Result
2/14/2012	1	City Council	Adopted	Pass

**WHEREAS** the city of Pittsburgh is struggling to reduce the rising tide of gun violence in our community; and

**WHEREAS** despite overwhelming evidence that the vast majority of gun crimes are committed by "prohibited purchasers" using illegal guns obtained through loss, theft, straw purchases, or trafficking, the State Legislature of the Commonwealth of Pennsylvania has refused to take any action to address illegal gun trafficking, and in 2008 rejected a proposal to enact a statewide lost or stolen handgun reporting requirement; and

**WHEREAS** in order to reduce the supply of illegal guns resulting from theft, loss, or illegal transfers, in 2009 Pittsburgh City Council adopted a lost or stolen handgun reporting ordinance, requiring that missing firearms be reported to law enforcement upon discovery their absence; and

**WHEREAS** Pittsburgh is one of 48 communities that have taken action in favor a lost or stolen handgun reporting requirement, including 30 that have adopted the reform as local law; and

**WHEREAS** Pennsylvania courts have allowed the local lost or stolen handgun reporting laws set by the cities

of Pittsburgh and Philadelphia to remain on the books six times, including Allegheny and Philadelphia Courts of Common Pleas, Pennsylvania Commonwealth Court, and the Pennsylvania Supreme Court; and

**WHEREAS** the Pennsylvania State Legislature is considering HB 1523, unprecedented legislation created by the gun lobby to threaten financial penalties for cities and towns in Pennsylvania that have taken proactive steps to crack down on criminals who illegally use and traffic firearms, terrorizing our communities; and

**WHEREAS** HB 1523 will encourage frivolous, costly lawsuits against the City of Pittsburgh by extreme gun advocacy groups and gun owners, even if no evidence is presented indicating that their rights have been infringed upon; and

**WHEREAS** if the City of Pittsburgh successfully defends itself against such lawsuits, no compensation is provided for wasted city time and financial resources; and

**WHEREAS** HB 1523 was considered by the State House Judiciary Committee with insufficient notice given to municipalities that may effected, with no public hearing, and after refusing to hear testimony from local municipal and law enforcement officials; and

**WHEREAS** only one amendment to HB 1523 was considered, and was subsequently accepted, by the Judiciary Committee, which grants the National Rifle Association automatic standing to file lawsuits against municipalities, without having suffered any tangible, provable damages; and

**WHEREAS** the Pennsylvania Chiefs of Police Association, the Pennsylvania District Attorneys' Association, the Pennsylvania Association of County Commissioners, and the Pennsylvania League of Cities and Municipalities are all organizations dedicated to public safety, and all have all indicated their extreme opposition to HB 1523; and

**WHEREAS** the sole organization in favor of the HB 1523 is the National Rifle Association; and

**WHEREAS** the National Rifle Association has already drained resources from the City of Pittsburgh by litigating a losing lawsuit to try to strike down an ordinance that did not restrict how guns are possessed, purchased, or used, but simply required gun owners to report lost or stolen guns to law enforcement in an effort to protect the public safety and security of the City of Pittsburgh;

**NOW THEREFORE, BE IT RESOLVED** that the Council of the City of Pittsburgh does hereby oppose House Bill 1523

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